

REMARKS

Applicant gratefully acknowledges the telephonic interview with the Examiner conducted on February 9, 2007. Applicant has attempted to address the issues raised by the Examiner in the interview with this response.

Applicants have studied the Office Action dated November 21, 2006. Claims 1-21 are pending. Claims 1, 10, 18 and 21 are independent claims.

It is submitted that the application is in condition for allowance. Reconsideration and reexamination are respectfully requested.

§ 103 Rejections

Claims 1 – 4 and 6 – 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi et al. ("Kishi" U.S. Pat. No. 5,687,083) in view of [Nanba] et al. ("Nanba" U.S. Pat. No. 5,739,772). Applicant respectfully disagrees with the Examiner's interpretation of Nanba and respectfully traverses the rejection.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court stated in In re Rijkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

"In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. 'A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.' If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned." (citations omitted.)

It is respectfully noted that the Examiner indicates with respect to the rejection of independent claim 10, at paragraph 5 of the Office Action, "Kishi et al. do not explicitly disclose the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing road[s]" and asserts that FIG. 14 of Nanba discloses this limitation. It is further respectfully noted that the Examiner asserts,

at paragraphs 8 and 9 of the Office Action, that the rejection of independent claims 1 and 18 are based on the same assertions as those with respect to independent claim 10.

It is respectfully noted that "[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art" and "[w]hen a reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value." M.P.E.P. § 2125. It is further respectfully noted that the Examiner has not cited any disclosure in the text of the Nanba specification to support the assertion that FIG. 14 discloses the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18.

In the Office Action, at paragraph 14 on page 5, the Examiner responds to the arguments put forth in the September 1, 2006 response to the previous Office Action mailed on May 4, 2006 by asserting "the approaching road is the white/highlight road with letter A, the departing road is the white/highlight road with the arrow showing the direction" and "figure 14 [of Nanba] itself clearly shows such limitation and need not to disclose or cite in any disclosure in the text of the Nanba specification as applicant required or looking for." Applicant respectfully submits that, in view of the disclosure in Nanba, one of ordinary skill in the art would **not** be motivated to interpret FIG. 14 of Nanba as the Examiner has and would **not** modify the Kishi invention such that the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18.

As was previously respectfully noted in the response to the previous Office Action, Nanba discloses that FIG. 14 "shows an intersection screen" corresponding to an embodiment where "advancing direction arrows at the first and second guide branch points are separately displayed." Col. 7, ll. 24-27. As was further previously respectfully noted in the response to the previous Office Action, Nanba is directed to "a navigation system for vehicles, in which marks such as arrows are displayed to indicate advancing direction at guide branch points on a suggested route or an arrow to indicate advancing direction at a guide branch point" by displaying "guidance information on advancing directions at a first guide branch point by overlapping it on guidance information on

advancing direction at a second guide branch point." Col. 1, ll. 5-10 and col. 1, line 63 to col. 2, line 1.

As was previously respectfully submitted in the response to the previous Office Action, nowhere in Nanba is a calculation of any angle between an approach road and a departing road disclosed, nor is any information related to an angle between an approach road and a departing road even mentioned. As was further previously respectfully submitted in the response to the previous Office Action, Nanba does not disclose that the drawings are to scale and is silent as to dimensions.

Applicant respectfully submits that the portions of Nanba that disclose the display of roads on a screen do not disclose that any specific angle between an approach road and a departing road is considered. Applicant further respectfully submits that, rather than disclosing the consideration of any specific angle between an approach road and a departing road, Nanba discloses only the consideration of whether a road is in a "diagonally rightward direction" or a "diagonally leftward direction."

The Examiner's attention is respectfully directed to col. 4, ll. 21-30 and col. 5, ll. 11-23, 30-41 and 58-67 as well as FIG. 4(E). It is respectfully noted that Nanba discloses the display of roads on a map according to "the destination direction data (FIG. 4(E))." It is further respectfully noted that the "the destination direction data" in "FIG. 4(E)" indicates only whether a road is "Straight ahead," in a "Rightward direction," in a "Diagonally rightward direction," in a "Leftward direction" or in a "Diagonally leftward direction."

It is respectfully submitted that, in view of the disclosure in Nanba with respect to displaying roads on a map and in view of no further disclosure in Nanba with regard to FIG. 14, one of ordinary skill in the art would interpret FIG. 14 as indicating that the "white/highlight road with the arrow showing the direction" as a "departure road" that is in a "Diagonally rightward direction" as opposed to indicating any specific angle between "the approaching road [which] is the white/highlight road with letter A" and "the departing road [which] is the white/highlight road with the arrow showing the direction." It is, therefore, further respectfully submitted that FIG. 14 of Nanba, in the absence of any specific disclosure of any specific angle between an approach road and a departing road, would **not** motivate one of ordinary skill in the art to modify the Kishi invention

such that the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18. Moreover, it is further respectfully submitted that the Examiner has failed to establish the required case of prima facie obviousness with respect to independent claims 1, 10 and 18.

Therefore, it is respectfully asserted that independent claims 1, 10 and 18 are allowable over the cited combination of references. It is further respectfully asserted that claims 2-4 and 6-9, which depend from claim 1, and claims 11-17, which depend from claim 10, also are allowable over the cited combination of references.

Claims 5, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi and Nanba and further in view of Hulverscheidt et al. ("Hulverscheidt" U.S. Pat. No. 6,762,696). Applicant respectfully traverses the rejection.

It is respectfully submitted that Hulverscheidt fails to cure the deficiencies of Kishi and Nanba with respect to the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads. Therefore, it is respectfully asserted that independent claims 1 and 18 are allowable over the cited references. It is further respectfully asserted that claim 5, which depends from claim 1, and claims 19 and 20, which depend from claim 18, also are allowable over the cited combination of references.

Previously Added Claim 21

With regard to independent claim 21, it was respectfully noted in the telephonic interview on February 9, 2007 that claim 21 was added in the September 1, 2006 response to the previous Office Action mailed on May 4, 2006 but apparently has not been considered by the Examiner. The Examiner apparently agreed that independent claim 21 had not been considered and further apparently agreed that the finality of the present Office Action should be withdrawn so that claim 21 can be evaluated.

It was respectfully submitted in the telephonic interview that notwithstanding the Applicant's belief that independent claims 1, 10 and 18 are allowable over the asserted combination of references and the Examiner's position with respect to the asserted combination of references, independent claim 21 recites calculating a rotation angle by

using the angle between the approach road and a selected departing road when a vehicle is guided by selecting one of the departing roads and rotating the upper body and the head according to the calculated rotation angle and that this limitation is not disclosed by the asserted combination of the Kishi and Nanba references. It was further respectfully submitted that disclosure of this limitation would not be found by one of ordinary skill in the art in FIG. 14 of Nanba without specific disclosure of such calculation. The Examiner apparently agreed and indicated that a search for new references would be conducted.

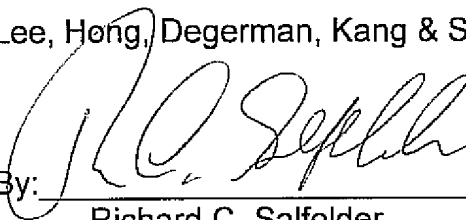
CONCLUSION

In light of the above remarks, Applicant submits that claims 1- 21 of the present application are in condition for allowance. Withdrawal of the finality of the present Office Action and reexamination and reconsideration of the application are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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